

**Penn E&R**

Environmental & Remediation, Inc.

CBI

ORIGINAL  
Q-9



SDMS DocID 2053131

April 23, 2001  
4013-20000

**HAND DELIVERED**

Mr. Joseph McDowell  
Remedial Project Manager  
United States Environmental  
Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

and

Mr. Dave Minsker  
Hazardous Site Cleanup Program  
Pennsylvania Department of  
Environmental Protection  
Southeast Regional Office  
Lee Park, Suite 6010  
555 North Lane  
Conshohocken, PA 19428

Subject: Remedial Design for the Cap for the Cinder/Slag Fill Area Located on LPT's  
Yellow Parcel

Dear Mr. McDowell and Mr. Minsker:

The enclosed Remedial Design report is being submitted as a follow-up to EPA's April 9, 2001 letter and our subsequent telephone conversations regarding the capping of the cinder/slag fill area located on Liberty Property Trust's 2301 Renaissance Boulevard property. As outlined in the April 9<sup>th</sup> letter, Joe McDowell explained that EPA and PADEP could not approve the proposed cap waiver request for either the cinder/slag fill area or for Quarry No. 4 as outlined in a report developed by Penn E&R entitled "Proposal to Cap Quarry No. 4," dated February 12, 2001 at this time. EPA and PADEP indicated, however, that additional soil and ground water sampling, if obtained, may be sufficient to demonstrate that a cap for these areas is not required.

Mr. Joseph McDowell  
Mr. Dave Minsker  
April 23, 2001  
Page 2

CBI

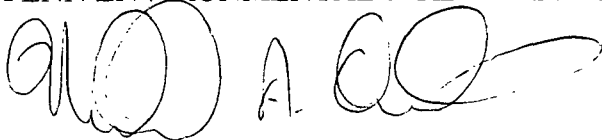
3/23/01  
(P)

While LPT may wish to pursue this demonstration with respect to Quarry No. 4, it does not have the time to make such demonstration with respect to the cinder/slag fill area since its construction schedule requires that work be performed in this area immediately in connection with development of the 2301 property. As such, the enclosed Remedial Design Work Plan addresses only LPT's proposal for the cinder/slag fill area. Quarry No. 4 capping issues will be addressed in future correspondence. While Penn E&R believes that a demonstration that a cap would not be required for the cinder/slag fill area could be completed, the process involved, as outlined in your April 9<sup>th</sup> letter, would require an extended period of time to implement. LPT needs to resolve this issue as soon as possible so that on-site construction activities in the area of the cinder/slag fill area can proceed. Therefore, LPT is proposing to cap the cinder/slag fill area in accordance with the requirements of the Commonwealth of Pennsylvania Residual Waste Management Regulations for final cover of residual waste landfills, set forth at 25 Pa. Code Sections 288.234 and 288.236-237, the regulations cited in the Record of Decision (ROD) for the Crater Resources site.

We appreciate your ability to meet on this issue on April 25 at PADEP's offices at 9:00. We will be prepared to discuss our proposed capping plan and respond to any comments you have at that meeting.

Should you have any questions regarding the contents of this letter or any other project-related issues, or if you require additional information, please do not hesitate to call me.

Sincerely,  
PENN ENVIRONMENTAL & REMEDIATION, INC.



Michael A. Christie, P.G.  
Vice President

MAC:dlc  
4013:SCL

cc: Andy Duchovany, Esq., EPA  
Andy Hartzell, Esq., PADEP  
George Donyliw, PADEP  
Jim Wentzel, PADEP  
Bruce Hartlein, LPT  
Jim Sunday, LPT  
Brenda Gotanda, Esq., MGK  
Darryl Borrelli, MGK

**Penn E&R**

Environmental &amp; Remediation, Inc.

April 20, 2001  
4013-20000

**VIA OVERNIGHT EXPRESS MAIL**

Mr. Joseph McDowell  
Remedial Project Manager  
United States Environmental  
Protection Agency  
Region III  
1650 Arch Street  
Philadelphia, PA 19103-2029

Subject: Site-Specific Health and Safety Plan for the Work Being Completed on Quarry  
No. 4 at Liberty Property Trust's 2201 Renaissance Boulevard Property

Dear Mr. McDowell:

This letter is submitted in response to your letter dated March 26, 2001, which outlined EPA's comments regarding its review of subject Site-Specific Health and Safety Plan that was submitted to the Agency on February 2, 2001. In response to your letter, we have revised the Site-Specific Health and Safety Plan (SSHSP) to specifically address EPA's comments. Two copies of the revised SSHSP are enclosed with this letter.

We have provided below our response to each of the specific comments included in your letter. Our responses are provided in the same order as the comments were listed in your letter.

**Response to EPA's Comment No. 1**

The focused risk assessment presented in the SSHSP was completed in July/August 1999 prior to the excavation into Quarry No. 4. The SSHSP was issued in February 2001 and was developed by Michael Christie, Vice President, and Christopher Branton, Certified Industrial Hygienist, with Penn E&R. All on-site work completed on Quarry No. 4 by Penn E&R personnel prior to February 2000 followed guidelines outlined in our Corporate Health and Safety Manual, a copy of which was submitted to you on February 2, 2001.

The date that the SSHSP was issued and subsequently revised are included on the revised enclosed copies of the SSHSP.

### **Response to EPA's Comment No. 2**

All on-site portions of Quarry No. 4 that are or were going to be disturbed by construction activities have been covered with clean soil. Therefore, on-site construction workers will not come in contact with materials in Quarry No. 4. If any further intrusive work into Quarry No. 4 is required, health and safety procedures outlined in the attached revised SSHSP and this letter will be followed.

A discussion of the remaining construction activities to be implemented in Quarry No. 4 are included in Section 8.0 of the attached revised SSHSP.

### **Response to EPA's Comment No. 3**

As listed in SSHSP, Mr. Christopher Branton, CIH, is Penn E&R's Corporate Health and Safety Officer. Mr. Thomas Christie is Penn E&R's on-site safety coordinator. Mr. Branton and Mr. Christie's address and phone number are as follows:

Penn Environmental & Remediation, Inc.  
2755 Bergey Road  
Hatfield, PA 19440  
(215) 997-9000

Mr. Christie's cellular phone number is (267) 246-1897.

The Norwood Company was LPT's General Contractor for the construction of 2201 and is LPT's General Contract for 2301. Mr. Steve Walton is Norwood's on-site representative. His address and phone number are as follows:

Mr. Steve Walton  
The Norwood Company  
530 Brandywine Parkway  
West Chester, PA 19380-3407  
(610) 431-3500

Mr. Walton's cellular phone number is (484) 883-4725.

Allan A. Myers was LPT's primary contractor for the construction of 2201 and is LPT's primary contractor for 2301. Mr. Paul Martino is the on-site representative for Allan A. Myers. His phone number is (610) 584-6020.

This information has been included in Section 1.0 of the attached revised SSHSP.

#### **Response to Comment No. 4**

As outlined in Section 120 of our Corporate Health and Safety Manual, all Penn E&R personnel are trained as appropriate for their duties. All Penn E&R personnel that complete field work have received 40 hours of instruction under 29 CFR 1910.120. Under this standard, they also receive 8-hour annual refresher training. This annual training is geared toward the types of operations Penn E&R employee's normally participate in, and includes protective equipment, respiratory protection, excavation safety, and hazard communications, among others. Additional training for specific operations (e.g., lead or other expanded standards) is performed as required.

Penn E&R believes that the focused risk assessment included in the SSHSP meets the definition of initial determination under Section 1926.62(d)(3). If an initial determination demonstrates that there is no potential for exposure above an action level (which in this case, we believe it does) then no further action, including training, is required unless conditions change to warrant additional determinations. Therefore, we do not believe that work in Quarry No. 4 requires additional training on lead hazards for the on-site construction workers. However, as indicated above, all Penn E&R personnel, including the on-site safety coordinator, have 40 hours of instruction under 29 CFR 1910.120 and receive 8-hour annual refresher training.

The initial determination performed in accordance with Section 1926.62(d)(3)(iv) showed that on-site construction workers would not be exposed to lead above the OSHA PEL of 50 ug/m<sup>3</sup> or Action Level of 30ug/m<sup>3</sup> assuming on-site dust levels did not exceed 10mg/m<sup>3</sup>. Based on this initial determination and as outlined in Section 1926.62(d)(5), no personal and/or area sampling is required.

#### **Response to Comment No. 5**

The exposure scenario used to determine airborne concentrations was the creation of dust caused by excavation and grading work at the site. The ACGIH TLV of 10 mg/m<sup>3</sup> was considered to be a worst case scenario for airborne dust. A dust concentration of 10 mg/m<sup>3</sup> represents a concentration that would significantly obscure vision, and would be obviously noticeable. Based on this concentration for dust, the risk assessment calculations were performed. As shown in the SSHSP, the result of being exposed to 10 mg/m<sup>3</sup> (a clearly visible dust cloud) of the highest lead containing soils on site for a full eight hours would not expose personnel to lead above its OSHA PEL and/or Action Level. Since a clearly visible dust cloud would be required to result in an exposure above the OSHA PEL/Action Level, visual inspection during on-site construction activities was used to ensure that the TLV for dust was not exceeded.

A more detailed discussion of the dust control methods and how and when they would be applied are provided on page 7 of the revised SSHSP.

No visual dust emissions were observed during the installation of the sewer line in Quarry No. 4. Therefore, no air monitoring was performed or required.

The SSHSP was finalized on February 2, 2000. As indicated in the SSHSP, the exposure assessment included was completed and the results were submitted and discussed with LPT's on-site General Contractor, the Norwood Company, prior to the installation of the sewer line. The installation activities were overseen by a Penn E&R OSHA-trained inspector who ensured that no visible dust was generated during these activities. In addition, the on-site Penn E&R field inspector ensured that the programs and procedures outlined in our Corporate Health and Safety Manual, a copy of which was previously provided to you, were fully implemented during the sewer pipeline installation activities.

#### **Response to Comment No. 6**

As requested, safety boots and hearing protection were added to the equipment checklist. Our Corporate Health and Safety Manual provides that all Penn E&R personnel wear safety boots during all field activities. A hearing conservation program is also outlined in the Corporate Health and Safety Manual.

#### **Response to Comment No. 7**

Lead was selected as the highest hazard on site based on concentrations known to be present and PELs. The PEL for lead is 50 ug/m<sup>3</sup>. The remaining metals identified in your letter have significantly higher PELs as shown below:

Manganese	5,000 ug/m <sup>3</sup>
Aluminum	15,000 ug/m <sup>3</sup>
Chromium	1,000 ug/m <sup>3</sup>
Iron (oxide fume)	10,000 ug/m <sup>3</sup>
Vanadium (respirable and fume)	500 ug/m <sup>3</sup>
<b>Lead</b>	<b>50 ug/m<sup>3</sup></b>

Chromium and vanadium were considered during the assessment, as their respective PELs are 20 and 10 times higher than the lead PEL. However, the average and maximum concentrations of these two metals in Quarry No. 4 were less than the average and maximum concentration for lead. Therefore, lead, the most toxic metal was used as a baseline, worst case scenario for the assessment. If potential exposure to lead posed no threat of overexposure, the remaining metals pose even less of a risk. In addition, lead is the only metal present in Quarry No. 4 soils that exceeded its PADEP Act 2 non-residential direct contact Medium Specific Concentrations, which are risk based cleanup standards. As requested, the PELs for the aforementioned metals are included in Appendix D of the attached revised SSHSP.

As indicated above, we believe that visual inspection to ensure that the TLV for dust of 10 mg/m<sup>3</sup> is sufficient to ensure that no on-site workers working in Quarry No. 4 are exposed to lead (or other metals) above OSHA PEL/Action Levels. However, to ensure that the TLV for dust is not exceeded and to address your concern, Penn E&R will conduct on-site dust

Mr. Joseph McDowell

Page 5

April 20, 2001

CBI

monitoring if dust is generated during any additional excavation into Quarry No. 4. Additionally, as requested during recent telephone conversations, Section 9.0 in the attached revised SSHSP includes a Contingency Plan in the event that unknown areas of potential concern are identified during construction activities on the 2301 property.

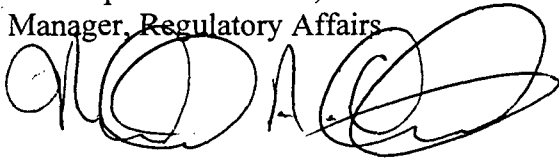
Should you have any questions regarding the contents of this letter or the revised Site-Specific Health and Safety Plan, please do not hesitate to call me.

Sincerely,

PENN ENVIRONMENTAL & REMEDIATION, INC.



Christopher H. Branton, CIH  
Manager, Regulatory Affairs



Michael A. Christie, P.G.  
Vice President

CHB:MAC:dlc

Enclosure

4013:MACL16D

cc: ~~Andy Duchovany, Esq., EPA~~  
Dave Minsker, PADEP  
Bruce Hartlein, LPT  
Brenda Gotanda, Esq., MGK  
Darryl Borrelli, MGK

Melion  
Bank**SUMMIT**  
BANKINVESTMENT MANAGEMENT DIVISION  
P.O. BOX 821, HACKENSACK, NJ 07602

CBI

No. P 165702

50-406  
313

ACCT. NO. 2970141002

DATE 04/09/2001

PAY One Hundred Sixty-Nine Thousand Seven  
Hundred Ninety-Five DOLLARS AND Ninety  
Six CENTS

AMOUNT \$169,795.96

TO THE ORDER OF EPA-HAZARDOUS SUBSTANCE SUPERFUND

SUMMIT BANK

BY: AUTHORIZED REPRESENTATIVE  
BY: AUTHORIZED REPRESENTATIVE

⑈165702⑈ ⑈031304050⑈ 82 001 46 7⑈

⑈0016979596⑈

DETACH AND RETAIN THIS PORTION FOR YOUR RECORDS

165702

A/C NAME

SUMMIT BANK AS TRUSTEE FOR THE CRATER RESOURCES  
SUPERFUND SITE QUALIFIED SETTLEMENT FUND TRUST  
AGREEMENT

No. P 165702

A/C NO

2970141002

DATE 04/09/2001

DISP 16  
OFF 147

REMITTANCE AMOUNT	
INCOME	PRINCIPAL

\$169,795.96

FOR

PAID TO

EPA-HAZARDOUS SUBSTANCE  
SUPERFUND**SUMMIT**  
BANK**RECEIVED**  
APR 23 2001EPA, Region III, ORC  
Site Remediation Branch IIIPAYMT OF COSTS FM 7/1/99-6/30/00  
SITE NAME-CRATER RESOURCES SITE  
A/C#038BBF00 DOCKET#III-94-42-DC  
REC. A/C # 032601T011Invested  
4-16-01

w/o \$ 4450.99

3X000 Yvette  
Hamilton